

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

LOI TAN NGUYEN,

Plaintiff,

v.

NMT MEDICAL, INC.

Defendant.

Civil Action No. 04-CV-11781-DPW

NMT MEDICAL, INC.'S RULE 16.1 CERTIFICATION

Pursuant to Local Rule 16.1, defendant NMT Medical, Inc. and its counsel affirm that they have conferred:

1. with a view to establishing a budget for the costs of conducting the full course, and various alternative courses, of the litigation; and
2. to consider the resolution of the litigation through the use of alternative dispute resolution programs, such as mediation, arbitration, and the alternative dispute resolution programs outlined in Local Rule 16.4.

NMT MEDICAL, INC.

By its attorneys,

By it is representative,

/s/ Julie Murphy Clinton

Jessica Foster (MA Bar #636841)

Julie Murphy Clinton (MA Bar #655230)

Wilmer Cutler Pickering Hale and Dorr LLP

60 State Street

Boston, Massachusetts 02109

(617) 526-6000

/s/ Cara Hard

Human Resources Manager

Dated: March 17, 2005

CERTIFICATE OF SERVICE

I, Julie Murphy Clinton, hereby certify that on March 17, 2005, I caused a copy of the foregoing certification to be served by first-class mail upon the plaintiff, Loi Tan Nguyen.

/s/ Julie Murphy Clinton
Julie Murphy Clinton